UNIVERSITY GROUNDS #1

Box

This Abstract MUST be returned at once to

RETURN TO
JAS. A. CLAYTON & CO.
(A CORPORATION)
SAN JOSE, CALIFORNIA.

Elizabeth Donovan,
Block 16 University Gds.

37

ABSTRACT OF TITLE

TO

Block No. 16 of the University Grounds.

COUNTY OF SANTA CLARA,
STATE OF CALIFORNIA,
As Shown by the Records of Said County.

Dated May 11 *190*3

MADE AT THE REQUEST OF

Clayton & Co.

San Jose Abstract Company

Bank of San Jose Building,

SAN JOSE, CALIFORNIA.

San Jose Abstract Co.

Abstract of Title.

TO

All that tract of land described in the following Deed from Charles B. Polhemus to William Pascoe.

Subsequent to the date of said Deed.

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Charles B. Polhemus

— To —

William Pascor

See page 84

D E E D

Dated September 16, 1867

Cons. $1500

Stamp $1.50 cancelled.

Does grant, bargain, sell, alien, remise, release, convey and confirm unto the second party and to his heirs and assigns forever, all that lot of land situate in the County of Santa Clara, described as follows:

Block No. 16 on the Map of University Grounds as surveyed by J. J. Bowen, County Surveyor, April 1866 and duly filed in the County Recorder's Office.

Commencing at the Southerly corner of Myrtle and Polhemus Streets; thence Northeasterly 400 feet to Elm Street; thence at right angles Northwesterly 400 feet to Asbury Street; thence at right angles Southwesterly 400 feet to Myrtle Street thence at right angles Southeasterly 400 feet to Polhemus Street, the place of beginning.

Covenant of Grantor that he has not encumbered above described premises.

It is understood that all obligation between said Charles B. Polhemus and The President and Board of Trustees of the University of the Pacific under a bond to them by said C. B. Polhemus dated March 28, 1866 recorded in Liber B. Miscellaneous, page 453, 454, 455, 456 and 457 so far as relates to said lot of land and not otherwise are hereby cancelled.

(Sgd.) Chas. B. Polhemus (Seal)

By His Attorney in fact

Jno. H. Polhemus.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Witness:

G. R. Baker

Acknd. September 16, 1867

By John H. Polhemus

at the attorney in fact of Charles B. Polhemus

Before A. B. Hunt, N. P.

Recorded September 16, 1867

Liber Z of Deeds, page 152.

Charles B. Polhemus

— To —

John H. Polhemus

POWER OF ATTORNEY

Dated August 26, 1867

For me and in my name, place and stead, and for my use and benefit, to bargain, contract, agree for, purchase, receive, enter upon and take lands, tenements, hereditaments, and accept the seizin and possession of all lands and all deeds, and other assurances in the law therefor, and to lease let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate lands, tenements and hereditaments upon such terms and conditions and under such covenants as he shall think fit.

Giving and granting unto my said Attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

(Signed) C. B. Polhemus, (Seal)

Acknd. August 26, 1867

Before F. J. Thibault, N. P.

City and County of San Francisco, Cal.

Recorded August 29, 1867

Liber B Powers of Attorney, Page 177.

William Pascoe

— To —

Charles B. Polhemus

M O R T G A G E

Dated September 16, 1867

To secure the payment of $600

Conveys the lot of land (Same as described in Liber Z of Deeds, page 152 Polhemus to Pascoe)

Recorded September 16, 1867

Liber J of Mortgages, page 591.

Cancelled on the margin of the record June 10, 1869 by Charles B. Polhemus.

By his Attorney in fact

John H. Polhemus.

Attested by County Recorder.

William Pascoe

and Levinga Pascoe

his wife

— To —

Christopher Faull

M O R T G A G E

Dated February 8, 1870

To secure the payment of $2000.

Convey the lot of land known and designated on the Map of the University Grounds as Block 16. (and other property)

Recorded February 8, 1870

Liber Q of Mortgages, page 628

Cancelled on the margin of the record June 4, 1872 by C. Faull.

Attested by County Recorder.

William Pascoe
and Lavina Pascoe
his wife
— To —
Thomas Douglas
A. E. Pomeroy
and S. A. Clark
Executors of the Estate of
James C. Cobb, deceased.

MORTGAGE

Dated August 10, 1872

To secure the payment of $700.

Convey the lot of land known and designated as Block 16 on the Map of the University Grounds.

Recorded August 13, 1872

Liber 3 of Mortgages, page 247.

Cancelled on the margin of the record April 28, 1873 by Thomas Douglas, S. A. Clark and A. E. Pomeroy Executors of the Estate of J. C. Cobb, deceased.
Attested by County Recorder.

William Pascoe

— To —

Elvina M. Chapman

D E E D

Dated February 26, 1874

Cons. $3200

Does grant, bargain, sell and convey unto the second party and to her heirs and assigns forever, all that lot of land situate in the County of Santa Clara and being described as follows:

(Same as in Liber Z of Deeds, page 152 Polhemus to Pascoe)

Acknd. February 26, 1874

By William Pascoe

Before Chas. F. Wilcox, N. P.

Recorded February 26, 1874

Liber 32 of Deeds, page 1.

Charles B. Polhemus

DISCLAIMER.

Dated January 6,1885.

Do hereby ratify and confirm to the grantees named therein their heirs and assigns forever, any and all Deeds of conveyance for lands situate in said County and State made in my name, place and stead and as my act and deed by John H. Polhemus (now deceased, late of said County and State) under Powers of Attorney from me to said Jno. H. Polhemus of record in said County of Santa Clara and do hereby disclaim any and all right, title or interest in or to the lands which may be described in said deeds, subsequent to the dates of the several conveyances, so made as aforesaid.

(signed) C. B. Polhemus,

Acknd. January 7,1885.

Before J. M. Pitman, County Recorder.

Recorded January 7,1885.

Liber L of Miscellaneous Records, Page 54.

The President and Board of
Trustees of the University
of the Pacific

RELEASE

Dated September 18, 1884

Cons. $1.

Recites: Bond made and executed by Chas. B. Polhemus recorded in County Recorder's Office, Santa Clara County, in Liber B of Miscellaneous Records, page 453. Also Bond made and executed by Henry M. Newhall dated April 2, 1866 recorded in said County Recorder's Office in Liber B of Miscellaneous Records, page 518, &c.

Also resolution adopted by the President and Board of Trustees of the University of the Pacific at a meeting held on the 13th day of September 1884 authorizing and directing the President and Secretary of said Corporation to execute, acknowledge and deliver as the act and deed of said Corporation a good and sufficient deed of remise, release and quit claim to the respective grantees their heirs and assigns of said Chas. B. Polhemus and Henry M. Newhall of and from all the right, title and interest, claim and demand of said Corporation in and to the several tracts, lots or subdivisions of land which may be described in the respective deeds of conveyance so made by said Polhemus or Newhall as aforesaid and to subscribe the Corporate name and affix the corporate seal of this corporation to said deed,&c.

Now Therefore, &c., remise, release and forever quit claim to the respective grantees their heirs and assigns of the said Chas. B. Polhemus and Henry M. Newhall all the right title and interest, claim and demand of this corporation in and to the several tracts, lots or subdivisions of land which

may be described in the respective deed of conveyance so made as aforesaid by said Polhemus and Newshall (as aforesaid) being portions of the land described in said contracts respectively dated the one March 28, 1866 and recorded in said County Recorder's office in Liber B of Miscellaneous Records, page 453 and the other dated April 2, 1866 and recorded in Liber B page 518 in said County Recorder's Office as aforesaid

SEAL OF UNIVERSITY OF THE PACIFIC

(Sgd.) The President and Board of Trustees of the University of the Pacific.

By Annis Merrill, President (Seal)

Attest: T. C. George, Secretary.

SEAL OF UNIVERSITY OF PACIFIC

Acknd. September 18, 1884

By Annis Merrill as President, &c.

Before Samuel S. Murfey, N. P. San Francisco

Recorded September 27, 1884

Liber 74 of Deeds, page 556.

The People of the State of California

— Vs. —

William Pascoe

THIRD DISTRICT COURT, CASE 1162.

1868 Dec. 31	Complaint filed. To recover the sum of $15.24 taxes due the State and County for the Fiscal Years 1868-1869 on Block 16 University Grounds and for a decree of lien and sale of said property.
1869 Jany. 7	"Upon payment of Taxes $15.24 and Costs $2.67 this suit is entered, settled and dismissed. Jno. B. Hewson, Clerk"

E. M. Chapman and

Elvina M. Chapman (his wife)

— To —

Jacob Finger

MORTGAGE

Dated July 17, 1888

To secure the payment of $3000.

Mortgage Block 16, University Grounds.

Recorded July 17, 1888

Liber 73 of Mortgages, page 502.

Cancelled on the margin of the record August 29th, 1889 by Jacob Finger and duly attested by the County Recorder

Comp

IN THE SUPERIOR COURT, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

IN THE MATTER OF THE ESTATE

of

ELVINA M. CHAPMAN, deceased.

ESTATE NO. 3975 REG. J. PAGE 255.

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Jany. 17 Last Will of decedent filed, Copy:

"In the Name of God, Amen:

I, Elvina M. Chapman, wife of Edgar M. Chapman, of San Jose, Santa Clara County, State of California, of the age of 78 years and being of sound and disposing mind, and not under any undue influence of any person, do make and declare this my last Will and Testament in the manner following:

First: I direct that all my debts be promptly paid and that my body be properly buried, and that a monument be placed at my grave.

Second: I declare that all my property claimed and owned by me is my separate property.

Third: I direct that of my property a sufficient amount be converted into cash, to pay the following bequests, designated A. and B. as follows:

A. I give and bequeath to the Womans Baptist Foreign Missionary Society of theState of California the sum of One hundred (100) Dollars, for their work and I direct my Executors to pay the said sum to the treasurer of said Society within two months after my decease,.

B. I give and bequeath to the Christian Alliance of

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the State of California, the sum of One Hundred (100) Dollars to be used for their general work.

Fourth: I give and bequeath to my son Charles E. Chapman all of my estate of every kind and character and wheresoever situate, to be held and possessed by him subject to the following trust, and during the life of my husband, Edgar M. Chapman, to wit: To hold and possess my said estate, and the whole thereof and the proceeds of any sales thereof, and all rents, incomes, issues and profits thereof, during the life of my said husband and out of the same and in such manner and upon such terms and conditions as to my said Son, Charles E. Chapman, shall seem best and most for the advantage of my said husband as well as my estate, to maintain, support and care for my said husband, hereby strictly enjoining upon my said son Charles E. Chapman, the duty of carrying out my wishes in the premises to the advantage and comfort of my said husband.

Fifth: I give and bequeath uponthe death of my said husband, all the rest and residue of my estate, wherever situate and of every kind and character (Save as hereinafter provided) to my dear son Charles E. Chapman, and my dear Grandsons Charles Daniel Chapman and Daniel Edgar Chapman to be held and owned by them share and share alike.

Provided : That after the death of my said husband there shall be given and bequeathed and are hereby given and bequeathed to my said son Charles E. Chapman to be held and owned by him as and for his own, the following real and personal property, to wit:

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All that lot of land situate in Santa Clara County, State of California, and particularly described as follows:

Commencing at the Southerly corner of Myrtle and Polhemus Streets; thence Northeasterly 200 feet; thence at a right angle Northwesterly 200 feet; thence at a right angle Southwesterly 200 feet and thence at a right angle Southeasterly 200 feet to the place of beginning, and being a piece of land 200 feet square and the Southerly corner of the land conveyed to me by deed from William Pascoe dated February 26th, 1874 and recorded February 26th,1874 in Book 32 of Deeds, page 1 Records of Santa Clara County and all improvements of every kind and character thereon and all of the furniture and personal effects therein, the said real and personal property and effects to be the sole property of my said son Charles E. Chapman.

Sixth: I do hereby constitute and appoint my said Son, Charles E. Chapman, the sole Executor of this my last Will and Testament and direct that he be not required to give any bond of any kind or other security for the performance of his duties as Executor:

Seventh: I hereby authorize my said Executor to sell, convey and dispose of all my property and estate or any part thereof, as in his judgment shall seem for the best interests of my estate, without any order or intervention of any Court.

Eighth: I hereby revoke and annul all former wills by me made.

IN WITNESS WHEREOF, I have hereunto set my hand

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1898	and Seal this 20th day of December 1897. (Sgd.) Elvina M. Chapman (Seal) Subscribing Witnesses to Execution of Will John Brady, Residence, San Jose, California. Emily R. Brady, Residence, San Jose, California.
Jany. 17	Petition of Charles E. Chapman for probate of Will filed, Shows: That Elvina M. Chapman died on or about January 12, 1898 near the City of San Jose, County of Santa Clara, State of California, and at the time of her death was a residentof said County and State and left Estate therein, consisting of real and personal property, the probable revenue,character and value of which is as follows: Cash on Deposit in Farmer's Union $394.54 Lot of land with improvements in theTown of Santa Clara, County of Santa Clara, California, at the Southeast corner of Alviso and Benton Streets, probable value being $500. and annual revenue of $84. Lot of land with improvements at the Northeast corner of Polhemus and Myrtle Streets, University Grounds in Santa Clara County and being 200 feet square probable value thereof, being $3500 and annual revenue being $180. The North half and the southeast quarter of Block 16 of said University ---- in said County,probable value thereof being $3000 producing no revenue Lot of land with improvements, being 201-1/2 feet front on East line of Bush Street by 106 feet deep, in said County of Santa Clara, probable value thereof, being $4000 and annual revenue being $300.

1898

Also, Sundry stocks, note and mortgage of the probable value of $8560 and producing an annual revenue of $435.

That the value of the estate and effects does not exceed the sum of $25000.

That said deceased left a Will bearing date December 20th, 1897 in the possession of your petitioner, which he believes and therefore alleges to be the last Will and testament of said deceased, which is herewith presented to said Superior Court.

That your petitioner, Charles E. Chapman (who consents to act) is named in said Will as Executor thereof, andCharles E. Chapman, aged about 48 years son of said deceased and Daniel E. Chapman, aged about 22 years, a grandson of said deceased, both residing at San Jose, Santa Clara County, State of California and Charles D. Chapman, aged about 23 years, a grandson of said deceased, residing at the City of Durango, Republic of Mexico, are named therein as devisees.

That the next of kin and heirs at law of said testatrix and the names, ages and residences are Edgar M. Chapman, aged about 75 years, husband of said deceased, and Charles E. Chapman aged about 48 years, son of said deceased, both residing at San Jose, Santa Clara County, State of California.

That at the time said Will was executed, testatrix was of the age of 78 years, was of sound and disposing mind and competent by last Will to dispose of all her estate.

Prays that said Will may be admitted to probate and that Letters Testamentary issue to petitioner.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1898	Charles E. Chapman, C. M. Lorigan, Attorney for Petitioner.
Jan. 17	Clerk's Order appointing January 28,1898 at 10 A.M. at the Court Room of said Court, as the time and place for hearing foregoing application for probate of will, filed.
Jan. 17	Clerk's Notice of time and place appointed for proving will of deceased, and hearing application for Letters Testamentary thereon, issued.
Jan. 17	Affidavit of Mailing Notice to heirs, filed. W. Denker being duly sworn, deposes and says that he is and at all the times hereinafter mentioned was a male citizen of the United States over the age of 21 years, and not interested in said estate; that on January 17th, 1898 he deposited in the United States Post Office, at the City of San Jose, in said County, a true copy of the within Notice. (Clerk's Notice, January 28th, 1898 at 10 A.M. at the Court Room of said Court,, Appointed as the time and place for proving will of decedent and hearing application of Charles E. Chapman for Letters Testamentary thereon) enclosed in an envelope, with the proper and necessary postage prepaid thereon, and addressed to each of the following named persons at their respective places of residence: Edgar M. Chapman, San Jose, California. Charles E. Chapman, San Jose, California.

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Subscribed and Sworn to January 17, 1898.

Jan. 28 Affidavit of Delbert E. Williams, principal clerk of the printers of the San Jose Daily Herald a daily newspaper published and printed in the City of San Jose, County of Santa Clara, California that the "Notice of time set for probate of Will in the matter of the Estate of Elvina M. Chapman, deceased" (printed copy of Notice annexed) was published in said Newspaper, for 11 successive days, from January 17th, 1898 to January 27th, 1898 both dates inclusive, every day, January 17,18,19, 20, 21, 22, 24, 25, 26, 27, 1898 Sundays excepted that being as often during said period as said newspaper was regularly issued.

Subscribed and Sworn to January 28th,1898.

Jan. 28 Testimony on probate of will taken and filed.

Jan. 28 Certificate of proof of will made and filed.

Jan. 28 Order made, filed and entered, admitting will to probate, and appointing Charles E. Chapman, Executor, and directing Letters Testamentary to issue to him upon taking the oath required by law.

Prob. Rec. 50, page 198.

Jan. 28 Will Roll made and filed and will and certificate of proof recorded in Book J of Wills,page 204.

Jan. 28 Letters Testamentary issued to Charles E.

1898

Chapman and duplicate with oath annexed, filed and recorded.

Book F Letters Testamentary page 383.

Jan. 28 Order directing publication of Notice to Creditors, made filed and entered.

Prob. Rec. 56, page 61.

Jan. 28 Order appointing R. Lowe, T. W. Hobson and W. F. Foss, appraisers made, entered and filed.

Prob. Rec. 54, page 326.

Mch. 9 Inventory and appraisement filed, Shows:

Cash	$434.54.
Personal Property.	$8542.00
Real Estate	

Lot of land with improvements in the Town of Santa Clara, County of Santa Clara, State of California, and more particularly described as being the most Westerly portion of Block 1 North Range 3 East, and a portion of Lot 2 in said Block and further described as Commencing at the corner of Alviso and Benton Streets, the most Easterly corner, and running thence along the Southerly side of said Benton Street Easterly 75 feet; thence at right angles Southerly 112 feet; thence at right angles Westerly 75 feet to Alviso Street; thence along the Easterly side of Alviso Street 112 feet to the place of beginning, according to the Survey and map of said Town of Santa Clara.

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Appraised at $600.00

Lot of land with improvements in the County of Santa Clara, State of California, described as commencing at theintersection of the Easterly line of Myrtle Street with the Northerly line of Polhemus Street, and running thence North Westerly along the said Easterly line of said Myrtle Street 200 feet; thence at right angles North Easterly 200 feet; thence at right angles South Easterly 200 feet to the said Northerly line of Polhemus Street; thence South Westerly along said Northerly line of said Polhemus Street to the point of beginning, and being a piece of land 200 feet square and the Southerly corner of the land conveyed to Elvira M. Chapman by deed from William Pascoe dated February 26, 1874 and recorded February 26,1874 in Book 32 of Deeds, page 1 Records of said Santa Clara County.

Appraised at $3200.00

Lot of land in the County of Santa Clara, State of California, described as commencing at the intersection of the Southerly line of Asbury Street with the Easterly line of Myrtle Street; and running thence Southerly along said Easterly line of said Myrtle Street 200 feet; thence at right angles Northeasterly 200 feet; thence at right angles Northwesterly 200 feet to the said Southerly line of Asbury Street; thence South-

1898

Westerly along said Southerly line of Asbury Street 200 feet to the point of beginning, being part of Block 16 of the University Grounds,

Appraised at $750.00

Lot of land in the County of Santa Clara, State of California, described as commencing at the intersection of the Southerly line of Asbury Street with the Westerly line of Elm Street; running thence Southerly along said Westerly line of Elm Street 200 feet; thence at right angles South-Westerly 200 feet; thence at right angles North Westerly 200 feet to the said Southerly line of Asbury Street; thence Northeasterly along said Southerly line of Asbury Street 200 feet to the point of beginning, being part of Block 16 of the University Grounds.

Appraised at $750.00

Lot of land in the County of Santa Clara, State of California, described as commencing at the intersection of the Northerly line of Polhemus Street with the Westerly line of Elm Street; and running thence Westerly along said Northerly line of said Polhemus Street 200 feet; thence at right angles North Westerly 200 feet; thence at right angles Northeasterly 200 feet to the said Westerly line of said Elm Street; thence Southerly along said Westerly line of said Elm Street to the point of beginning, and being part of Block 16 of

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of the University Grounds.

Appraised at $750.00

Lot of land with improvements in the County of Santa Clara, State of California, described as being a part of the Los Coches Rancho, Commencing at a point on the Easterly line of Bush Street, being the Southeast corner of lot now or formerly of Patrick Dillon; thence running Easterly along the Southerly line of said lot 106 feet; thence at right angles Southerly 201 1/2 feet to land now or formerly of L. Schoen; thence at right angles 106 feet to the said Easterly line of Bush Street; thence running along the said Easterly line of said Bush Street Northerly 201 1/2 feet to the place of beginning, and being the same lot that was formerly owned by A. C. Farno and wife and by them conveyed to John Q.Gash by deed dated October 30, 1874.

Appraised at $3000.00

Total $18,126.54.

All of which is separate property.

Duly Verified.

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May 20

Affidavit of C. W. Williams, Printer and publisher of The Evening News, a daily newspaper published and printed in the City of San Jose, Santa Clara County, California. That the Notice to Creditors of which the annexed printed slip marked "A" is a true copy (printed copy of Notice to Creditors marked "A" annexed. Creditors to present

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their claims within 10 months from first publication &c) was published in said newspaper for 31 consecutive days from February 1st, 1898 to March 3d, 1898 inclusive, every day, first and last days included, Sundays excepted, that being as often during said period as said Newspaper was regularly issued.

Subscribed and Sworn to March 5, 1898.

May. 20 Order making an allowance of $469.35 payable to the guardian of Edgar M. Chapman, incompetent, made, entered and filed.

Prob. Rec. 62,page 66.

1898

June 6 Final Account of Executor with Vouchers,filed.

June 6 Petition of Executor for distribution of estate, filed.

Recites: previous proceedings had in the estate and shows:

That all the debts of said deceased and of said estate, and all the expenses of the Administration thereof thus far incurred, and all taxes that have attached to or accrued against the said estate have been paid and discharged, and said estate is now in a condition tobe closed, and refers to Schedule A annexed hereto for a description of the residue of said estate.

That the whole of said estate is separate property. That said Elvina M. Chapman died testate in the said County of Santa Clara on January 12,

1898

1898, leaving her surviving her husband, Edgar M. Chapman, and their son, Charles E. Chapman, both past the age of majority.

That said Elvina M. Chapman left a last will wherein she devised to the Womans Baptist Foreign Missionary Society of the State of California, and to the Christian Alliance of the State of California, each the sum of one hundred dollars, which legacies have been duly paid, as appears by said final account, filed herewith; that in said will said testatrix devised all the rest of her property to said Charles E. Chapman, in trust, during the life time of said Edgar M. Chapman, for the maintenance, support and care of said Edgar M. Chapman, and upon the death of said Edgar M. Chapman, then a piece of land in the County of Santa Clara, State of California 200 feet square, the Southerly corner of land conveyed by William Pascoe to said testatrix by deed recorded in Book 32 of Deeds, page 1 records of said Santa Clara County, with improvements and personal effects therein, to said Charles E. Chapman, and the residue of her property to said Charles E. Chapman, Charles Daniel Chapman and Daniel Edgar Chapman, share and share alike; that since the death of said testatrix, said Edgar M. Chapman has died, and his estate has been probated in this Court, and decree of distribution entered therein, distributing to said Charles E. Chapman, all the property belonging to said estate; and by an instrument in writing recorded in Book 213 of Deeds, page 242 et seq. records of said

1898

Santa Clara County, said Daniel Edgar Chapman and Charles D. Chapman conveyed to said Charles E. Chapman, all the property real and personal belonging to or a part of the estate of said Elvina M. Chapman, deceased, and said Charles E. Chapman is entitled to the whole of the residue of said estate.

Prays that the Administration of said estate may be brought to a close and Executor discharged from his trust. That after due notice given and proceedings had, the estate remaining in the hands of petitioner, may be distributed, the whole thereof to said Charles E. Chapman.

Schedule "A" annexed to petition contains a description of all the residue of said estate, real and personal, describing same as in the Inventory and appraisement herein.

1899

Jan. 6 Order made, filed and entered, appointing Friday, January 20th, 1899 at 10 A.M. for hearing onsettlement of final account , and petition for distribution.

Pro. Rec. 63,page 235.

Jan. 6 Clerk's Order appointing January 20th,1899 for hearing on settlement of final account and petition for distribution, filed.

Jan. 10 Affidavit of W. Denker, of posting on January 10, 1899 true copies of the Within Notice (clerk's Notice, Friday January 20th, 1899 at 10 A.M. at the Court Room &c appointed time and place for hearing

1899	
	on settlement of final account and petition for distribution) in three of the most public places in SantaClara County, filed.
	Duly Verified.
Jan. 20	Decree showing that due and legal notice to Creditors has been given, made, entered and filed.
	Prob. Rec. 56, page 368.
Jan. 26	Decree of Settlement of final account and distribution of estate, entered and filed.
	Recites: final account and petition for distribution filed herein January 6th, 1899 proof of notice given by the Clerk of the hearing on said account and petition, as ordered by the Court and proofs made on such hearing.
	Ordered, adjudged and decreed that the said final account of the said Executor be, and the same is hereby finally settled, allowed and approved, and that the residue of said estate hereinafter described, and any other property not now known, or discovered, which maybelong to the said estate, or in which the said estate may have any interest, be, and the same is hereby distributed as follows: To Charles E. Chapman, the whole thereof.
	The following is a particular description of said residue of said estate.
	Real Estate.
	(Same as set fort h and described in the inventory and appraisement filed herein)

1899	
	Cash $5564.86, and certain personal property. Dated January 20th, 1899. M. H. Hyland, Judge. Prob. Rec. 62, page 552.
Feb. 17	Receipt of distributee filed.
Feb. 17	Decree of final discharge of Executor made, entered and filed. Prob. Rec. 58, page 371.

Note:

A certified copy of the foregoing Decree of Distribution was recorded in the office of the County Recorder of Santa Clara County, California on January 30, 1899 in Book of Deeds, page

Comp.

N O T E:-

In the Matter of the Estate of Edgar M. Chapman deceased, In the Superior Court of Santa Clara County, State of California, Estate No. 4057.

On May 27, 1898, Charles E. Chapman filed his petition for probate of the will of said decedent, reciting therein, that said Edgar M. Chapman died, on or about May 19th, 1898 in the County of Santa Clara, State of California, thereafter, upon due proceedings had, and on June 17th, 1898, said Will was admitted to probate, and Letters of Administration with the Will annexed were duly issued to said Charles E. Chapman.

Charles Daniel Chapman and
Daniel Edgar Chapman
legatees and devisees under the last Will and
Testament of Elvina M. Chapman, deceased

— To —

Charles E. Chapman

D E E D

Dated November 2, 1898

Cons. $7000

Stamp $7 cancelled.

Grant, bargain, sell, convey and confirm unto the said party of the second part and to his heirs and assigns forever, all those certain parcels of land with the improvements thereon in the County of Santa Clara, described as follows:

Commencing at the intersection of the Easterly line of Myrtle Street with the Northerly line of Polhamus Street and running thence Northwesterly along the said Easterly line of said Myrtle Street 200 feet; thence at right angles Northeasterly 200 feet; thence at right angles Southeasterly 200 feet to the said Northerly line of Polhamus Street; thence Southwesterly alongthe said Northerly line of Polhamus Street to the point of beginning and being a piece of land 200 feet square and the Southerly corner of the land conveyed to Elvina M. Chapman by Deed from William Pascoe dated February 26, 1874 and recorded February 26, 1874 in Book 32 of Deeds, page 1, Records of Santa Clara County.

Also commencing at the intersection of the Southerly line of Asbury Street with the Easterly line of Myrtle Street and running thence Southerly along said Easterly line of said Myrtle Street 200 feet; thence at right angles Northeasterly 200 feet; thence at right angles Northwesterly 200 feet to

the said southerly line of Asbury Street; thence Southwesterly along said Southerly line of Asbury Street 200 feet to the point of beginning, being a part of Block 16 of the University Grounds.

Also commencing at the intersection of the Southerly line of Asbury Street with the Westerly line of Elm Street; running thence Southerly along said Westerly line of Elm Street 200 feet; thence at right angles Southwesterly 200 feet; thence at right ------ Northwesterly 200 feet to the said Southerly line of Asbury Street; thence Northeasterly along said southerly line of Asbury Street 200 feet to the point of beginning being part of Block 16 of the University Grounds.

Also commencing at the intersection of the Northerly line of Polhamus Street with the Westerly line of Elm Street and running thence Westerly along said Northerly line of said Polhamus Street 200 feet; thence at right angles Northwesterly 200 feet; thence at right angles Northeasterly 200 feet to the said Westerly line of saidElm Street; thence Southeasterly along said Westerly line of said Elm Street to the point of beginning, and being a part of Block 16 of the University Grounds.

(and other property)

Also all property real and personal belonging to or a part of the Estate of said Elvina M. Chapman deceased and particularly the property described and set forth in the inventory and appraisement in the matter of said estate made therein and filed in the Superior Court of the County of Santa Clara, State of California, in the matter of said estate.

Acknd. November 4, 1898

Before C. M. Lorigan, N. P.

Recorded November 5, 1898

Book 213 Deeds, Page 242.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

In the Superior Court, County of Santa Clara,
State of California.

In the Matter of the Estate
of
Charles E. Chapman, deceased.

Estate No. 4373. Reg. K. Page 151.

1899
Oct. 20 Last Will and Codicil of decedent filed.

Copy.

"I, Charles E. Chapman, resident of Santa Clara County, California, and being of sound and disposing mind and memory do make, publish and declare my last will as follows:-

I. I declare that I am married and am now living with my wife Eugenia Chapman.

II. I declare that I have now living two sons the issue of a former marriage, to wit: Charles D. Chapman, now aged 20 years, and Daniel E. Chapman now aged 19 years.

III. I direct that upon my death my body shall be buried with due regard to my station in life and the circumstances of my estate.

IV. I hereby nominate and appoint as executors of my will, my father Edgar M. Chapman, and my son Charles D. Chapman, and in the event of the death, refusal or inability, to act, from any cause, or of the resignation of either one of them, I direct that the survivor of them shall have all powers herein conferred upon both of them and shall be

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charged with all duties hereby devolving upon both of them. And I direct that no bond be required from either of my said Executors at any time or for any purpose. I further direct that my executors shall have full power and authority to sell and dispose of all or any portion of my estate, as to them shall seem best, without any order or orders from any Court.

V. I direct that my executors cancel all indebtedness (if at the time of my death there shall be any existing) due me from my father and my mother, or either of them, on amount of a mortgage which I now hold against their land situate near San Jose, California; said Mortgage debt now being about the sum of $4100, and deliver up to them any evidence of said indebtedness held by me, fully cancelled, and cause to be entered full satisfaction of said Mortgage.

VI. I give and bequeath to my two sons above named, all property of every kind held by me at the time of my death, situate in the Republic of Mexico, share and share alike, for their own.

VII. I give and bequeath one half of all the rest and residue of my estate to my wife, Eugenia Chapman, and the remaining half to my said sons, share and share alike.

VIII. I hereby declare that all property which I now have, of every kind, is my own separate estate.

I hereby revoke and annul all other wills made by me.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

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In Witness Whereof I have hereunto set my hand and affixed my seal at the City of San Jose, Santa Clara County, California, this 3rd day of December A. D. 1894.

Charles E. Chapman (Seal)

Subscribing witnesses to execution of Will,
Jackson Hatch, Residing at San Jose, California.
E. M. Rosenthal, Residing at San Jose, California.

Codicil annexed (in decedents own handwriting)

"San Jose, May 6th, 1896.

Owing to the continued sufferings of my father Edgar M. Chapman, from the Rheumatism, I desire that he shall be excused from serving as Executor of this my last and only will and testament, and that Clemente Colombet of San Jose, California, serve in his stead with my son Charles D. Chapman, and that no bond be required of either of them for the fulfillment of the trust so imposed, thus, making as my Executors of this my last Will, Clemente Colombet and Charles D. Chapman, of San Jose, California, without bonds.

C. E. Chapman."

Oct. 20 Petition of Clemente Colombet, for probate of Will filed, Shows:

That Charles E. Chapman died on or about October 14th, 1899 at San Francisco, State of California, and at the time of his death was a resident of the County of Santa Clara, in said State and

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left estate consisting of real and personal property.

That the probable revenue and character and value of said property are not now known to your petitioner, but the same is of the probable value of $60,000.

That said deceased left a will bearing date December 3d, 1894, and a codicil bearing date May 6th, 1896 in his private bank box, which your petitioner believes and therefore alleges to be the last will and testament of said deceased, and which is herewith presented to said Superior Court.

That Edgar M. Chapman and Charles D.Chapman are named in said Will as Executors thereof; but said Codicil revokes the nomination of said Edgar M. Chapman, as such Executor and names in lieu of said Edgar M. Chapman, the said petitioner Clemente Colombet;and Eugenia Chapman, widow of deceased and Daniel E. Chapman, a son of said deceased, both residing at San Jose, Santa Clara County, California, and Charles D. Chapman, a son of said deceased, residing at Durango, Mexico, all past the age of Majority, are named therein as devisees.

That the next of kin and heirs at law of said testator and the names, ages and residences of said heirs are Eugenia Chapman, widow of said deceased, and Daniel E. Chapman, son of said deceased, both residing at San Jose, Santa Clara County, California and Charles D. Chapman, son of said deceased, residing at Durango, Mexico, all past the age of majority.

1899

That at the time of the execution of said Will and Codicil, testator was of sound and disposing mind and competent by last Will to dispose of all his estate.

That said Codicil is in the handwriting of said testator, being entirely written, dated and signed by him.

That said Clemente Colombet, one of the persons named in said Codicil as an Executor of said Will, hereby consents to act as such Executor. That said Charles D. Chapman, the other party named in said Will and codicil as Executor thereof, is at Durango, Mexico and your petitioner is advised and believes and therefore alleges that he consents to act as such Executor, and asks that upon his return he be admitted as joint Executor with your petitioner.

Prays that said Will be admitted to probate and that Letters Testamentary be issued to your petitioner, and that upon the return to this State of said Charles D. Chapman, that Letters Testamentary be also issued to him.

Clemente Colombet,

Petitioner.

C. M. Lorigan,

Attorney for petitioner.

Oct. 20 Clerk's Order appointing November 3d, 1899 at 10 A.M. at the Court Room &c. as the time and place for hearing foregoing petition for probate of will, filed.

1899

Oct. 21 Clerk's Notice of time and place appointed for proving will of decedent issued.

Oct. 24 Proof of Mailing Notice to heirs filed. W. Denker, being duly sworn, deposes and says: that he is and at all the times hereinafter mentioned was, a male citizen of the United States, over the age of 21 years, and not interested in said estate; that on October 21st, 1899 he deposited in the United States Post Office at the City of San Jose, in said County, a true copy of the within notice (Clerk's Notice, Friday, November 3d, 1899 at 10 A:M. at the Court Room &c. appointed time and place for probate of will of decedent and hearing application of Clemente Colombet for Letters Testamentary) enclosed in an envelope with the proper and necessary postage prepaid thereon, and addressed to each of the following named persons at their respective places of residence, to wit:

Eugenia Chapman, San Jose, California.
Daniel E. Chapman San Jose, California.
Charles D. Chapman, Durango, Mexico.

Subscribed and Sworn to October 21,1899.

Nov. 3 Affidavit of C. W. Williams, Printer and Publisher of The Evening News, a daily newspaper published and printed in the City of San Jose, Santa Clara County, California, that the Notice of time set for Probate of Will (printed copy annexed) was published in said newspaper for 14 consecutive

1899	
	days, from October 20, 1899 to November 2d,1899 inclusive, every day, first and last days included Sundays excepted, that being as often during said period as said newspaper was regularly issued. Subscribed and Sworn to November 2d,1899.
Nov. 3	Testimony on proof of will and codicil taken and filed.
Nov. 3	Certificate of proof of will and codicil made and filed.
Nov. 3	Order made, filed and entered, admitting will to probate and appointing Clemente Colombet, Executor, and directing Letters Testamentary to issue to him, upon his taking the oath, with the right to Charles D. Chapman, now absent from this State, to take out Letters Testamentary upon his return to this State. Prob. Rec. 61, page 103.
Nov. 3	Will Roll made and filed and will, codicil and certificate of proof recorded in Book K of Wills, page 6.
Nov. 3	Letters Testamentary issued to Clemente Colombet and duplicate with oath filed and recorded. Book G Letters Testamentary,page 394.
Nov. 3	Order made, filed and entered, directing publication of Notice to Creditors.

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Prob. Rec. 56,page 144.

Nov. 3 Order for a family allowance of $200 per month, made, filed and entered.

Prob. Rec. 64, page 501.

Dec. 4 Petition of Charles D. Chapman (named in Will of deceased as one of the Executors thereof) to be appointed as Joint Executor, filed.

Dec. 4 Order made, filed and entered, appointing Friday December 15,1899 at 10 A.M. for hearing application of Charles D. Chapman to be appointed joint Executor, Notice to be given by the Clerk by posting at least 10 days before said day of hearing.

Prob. Rec. 64,page 576.

Dec. 5 Affidavit of J. J. Kennedy of posting on December 4, 1899 true copies of the within notice (Clerk's Notice, Friday, December 15th, 1899 at 10 A.M. at the Court Room &c. appointed as the time and place for hearing application of Charles D. Chapman to be appointed joint Executor of the Will of Decedent) in three of the most public places in Santa Clara County, filed.

Duly Verified.

Dec. 8 Affidavit of J. E. Harris, principal clerk of the Mercury Publishing Company, the printers of the San Jose Daily Mercury, a daily newspaper published and printed in the City of San Jose, Santa Clara County, California, of publication of

1899

"Notice to Creditors" in said newspaper (printed copy of Notice to Creditors annexed, Creditors to present their claims within 10 months &c.) for four successive weeks, from November 5th, 1899 to December 5th, 1899 inclusive, every day, first and last dates inclusive, filed.

Duly Verified.

Dec. 8 Decree made, filed and entered, showing that due and legal notice to Creditors has been given.

Prob.Rec. 56, page 402.

Dec. 15 Order made, filed and entered appointing Charles D. Chapman joint Executor with Clemente Colombet and that Letters Testamentary issue to him upon his taking the oath and without bond.

Prob. Rec. 64, page 598.

Dec. 15 Letters Testamentary issued to Charles D. Chapman and duplicate with oath annexed filed and recorded.

Book G Letters Testamentary, page 397.

Dec. 28 Order made, filed and entered appointing J.R. Whitney, Ralph Lowe and T. A. Carroll, appraisers.

Prob. Rec. 54, page 442.

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Jan. 19 Inventory and appraisement filed, Shows:

Moneys	$5933.40
Personal Property	

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Appraised at $17692.60.

Real Estate.

Lot of land with improvements in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Easterly line of Myrtle Street with the Northerly line of Polhemus Street, and running thence North westerly along the said Easterly line of said Myrtle Street 200 feet; thence at right angles North Easterly 200 feet; thence at right angles South Easterly 200 feet to the said Northerly line of Polhemus Street; thence South Westerly along said Northerly line of said Polhemus Street to the point of beginning, and being a piece of land 200 feet square and the Southerly corner of the land conveyed to Elvina M. Chapman by deed from William Pascoe, dated February 26, 1874, and recorded February 26, 1874 in Book 32 of Deeds, page 1 Records of said Santa Clara County.

Appraised at $2750.00.

Lot of land in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Southerly line of Asbury Street with the Easterly line of Myrtle Street; and running thence Southerly along said Easterly line of Myrtle Street 200 feet; thence at right angles North Easterly 200 feet; thence at right angles North Westerly 200 feet to the said Southerly line of Asbury Street; thence South

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Westerly along the said Southerly line of Asbury Street 200 feet to the point of beginning, being part of Block 16 of the University Grounds.

Appraised at $750.00.

Lot of land in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Southerly line of Asbury Street with the Westerly line of Elm Street; running thence Southerly along the said Westerly line of Elm street 200 feet; thence at right angles South Westerly 200 feet; thence at right angles North Westerly 200 feet to the said Southerly line of Asbury Street; thence North Easterly along said Southerly line of Asbury street 200 feet to the point of beginning; being part of Block 16 of the University Grounds.

Appraised at $750.00

Lot of land in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Northerly line of Polhemus Street with the Westerly line of Elm Street; and running thence Westerly along said Northerly line of said Polhemus Street 200 feet thence at right angles North Westerly 200 feet; thence at right angles North Easterly 200 feet to the said Westerly line of said Elm Street; thence South Easterly along said Westerly line of said Elm Street to the point of beginning, and being part

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of Block 16 of the University Grounds.

Appraised at $750.00

(and other property)

Total appraised value of estate $48926.65.

All of which is separate property.

Duly Verified.

Jan. 29 Petition of Eugenia Chapman, widow of decedent, for an Order making permanent the Order for Family Allowance, and for an Order setting apart certain personal property for her use, and also for an Order setting apart certain real property with the improvements thereon, to her as a Homestead, filed.

Shows: That said deceased was a resident of the County of Santa Clara, State of California, at the time of his death and left estate real and personal in said County.

That Letters Testamentary upon the last Will of said Deceased were, by order of this Court duly given and made, issued to Clemente Colombet and Charles D. Chapman, and such Letters have never been revoked; that said Executors have duly returned to this Court an Inventory and Appraisement of said Estate; that no homestead had been selected by said deceased or petitioner, during the lifetime of said deceased; that the family of said deceased consists solely of petitioner, the widow of said deceased; that the heirs at law of said deceased are petitioner, his widow, and his two

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sons, Charles D. Chapman and Daniel E. Chapman, all past the age of Majority.

That at the time of the death of said Charles E. Chapman, he resided with petitioner, his family, on a tract of land in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Easterly line of Myrtle Street with the Northerly line of Polhemus Street; and running thence North westerly along said Easterly line of said Myrtle Street 400 feet to the Southerly line of Asbury Street; thence North Easterly along said Southerly line of said Asbury Street 200 feet; thence at right angles South Easterly 400 feet to the Northerly line of Polhemus Street; thence South Westerly along said Northerly line of said Polhemus Street to the point of beginning, and being part of Block 16 of the University Grounds on which said petitioner resides, and has, ever since the death of said deceased, resided thereon as her home; that said land and improvements thereon are worth less than $5000.00; that the same was the separate property of said deceased; that there are no unpaid debts against said estate; that heretofore an order of this Court has been duly entered and made, allowing petitioner the sum of $200.00 per month, for a family allowance.

That said deceased during his lifetime was a farmer.

That the following personal property described in said Inventory and belonging to said deceased

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	at the time of his death is exempt from execution (describes same) all of which being of less value than $2000.00. Prays that said order of $200.00 per month family allowance be made permanent herein; that said personal property be set apart for her use, and that said real property hereinabove described with improvements thereon be set apart to her as a homestead. Dated January 29, 1900. (Sgd) Eugenia Chapman.
Jan. 29	Order appointing Friday, February 9,1900 day for hearing upon said Petition of Eugenia Chapman and directing the Clerk to give notice thereof by posting notices in at least three public places in said County of Santa Clara, at least ten days before the said time of hearing, made, entered and filed. P. R. 66, page 56.
Jan. 30	Affidavit of W.Denker of Posting on January 29,1900 exact and true copies of the Notice of Time and Place appointed for hearing upon said Petition of Eugenia Chapman, in three of the most public places in said County of Santa Clara (naming them) filed.
Feb. 9	Order continuing hearing upon Petition of Eugenia Chapman one week, made, and entered. P. R. 65, page 114.

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Feb. 16 Order setting aside homestead to the widow of decedent, during widowhood, and also setting aside the personal property as prayed for, and granting a family allowance of $200.00, made and entered.

P. R. 65, page 122.

Feb. 20 Decree setting aside Homestead and certain Personal Property, and making a Family Allowance, filed and entered.

P. R. 66, page 121.

Eugenia Chapman, widow of Charles E. Chapman, Deceased, having heretofore and on January 29, 1900 filed in this Court her petition praying that the temporary order heretofore made allowing her $200.00 per month, family allowance be made permanent and that certain personal property in said petition described as exempt from execution be set aside to her, and praying further that certain lands and improvements thereon in said petition fully described be set aside to her as a homestead, all of which matters and property are fully described in said petition which is here referred to and made a part hereof, said matter coming on now regularly to be heard, proof being made to the satisfaction of the Court that the Clerk had given notice of such hearing in the manner and for the time according to law, and the previous order of this Court, and Charles D. Chapman being sworn as a witness thereon, the Court now being fully advised, hereby finds

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that $200.00 is a reasonable family allowance to be allowed for the maintenance of said family and it is hereby ordered that such amount be allowed during the progress of this estate for the maintenance of said family, and the Executors herein are hereby ordered to pay the same upon the first day of each month, and it further appearing that the said lot of household furniture (describing same) the same being of less value than $2000.00 is exempt from execution, and it is hereby ordered that the same be set apart for the use of the surviving family of said deceased.

And it further appearing that no homestead was selected by said deceased in his life time, or by his widow, and that there is no community property in said estate, the Court hereby selects designates and sets apart for the use of the surviving wife of said deceased, while she continues to be the widow of said deceased, that certain tract of land with improvements thereon in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Easterly line of Myrtle Street with the Northerly line of Polhemus Street; and running thence NorthWesterly along said Easterly line of said Myrtle Street 400 feet to the Southerly line of Asbury Street; thence North Easterly along said Southerly line of said Asbury Street 200 feet; thence at right angles South Easterly 400 feet to the Northerly line of

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Polhemus Street; thence South Westerly along said Northerly line of Polhemus Street to the point of beginning, and being part of Block 16 of the University Grounds.

And it is further ordered that a copy of this decree be recorded in the office of the County Recorder of said County of Santa Clara, State of California.

Dated February 16, 1900.

(Sgd) M. H. Hyland, Judge.

Note:

A certified copy of foregoing Decree was recorded in the Office of the County Recorder of the County of Santa Clara, State of California, on February 27,1900 in Liber 8 of Miscellaneous Records, page 552.

Oct. 22 Final Account of Executors with Vouchers, filed Annexed to said account, is the written request of the heirs that the Court allow and approve said account.

Oct. 22 Petition of Executors for distribution of estate, filed.

Recites previous proceedings had in the estate and shows:

That all the debts of said deceased and of said estate, and of the Administration thereof, and all taxes attached or accrued against said estate have been paid and discharged and said estate is

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now in a condition to be closed; That the residue of said estate now remaining in the hands of petitioners is fully set forth and described in the schedule marked "A" hereunto attached and made a part of this petition. That the whole of said estate is separate property.

That said Charles E. Chapman died testate in said County of Santa Clara on October 14,1899, leaving him surviving his widow, Eugenia Chapman and his two sons, Charles D and Daniel E. Chapman, all past the age of majority.

That said deceased left a last will which has been duly admitted to probate herein, in which said deceased devised his property as follows: To the said Eugenia Chapman, the undivided one half thereof to the said Charles D. Chapman the undivided one fourth thereof to the said Daniel E. Chapman, the undivided onefourth thereof.

That said Eugenia Chapman, Charles D. Chapman and Daniel E. Chapman have heretofore, by an instrument in writing, of record in Book 235 of Deeds, page 184 et seq, records of Santa Clara County, California, conveyed to George E. Lucas, that certain lot of land with improvements in the Town of Santa Clara, County of Santa Clara, State of California, hereinafter in said Schedule A second described, and said Lucas is entitled to have said property distributed to him.

That said Daniel E. Chapman, has heretofore by an instrument in writing, conveyed to said Eugenia Chapman, those certain tracts and parcels

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of land in the County of Santa Clara, State of California, in said Schedule A first described and the said Eugenia Chapman is entitled to have distributed to her the interest of said Daniel E. Chapman therein.

That by the order and decree of this Court, heretofore made in the matter of the said estate, those certain pieces and parcels of land with improvements thereon in said Schedule A third and fourth described, were selected, designated and set apart for the use of the surviving wife of said deceased, while she continued to be the widow of said deceased, and distribution thereof should be made herein, subject to such selection, designation and setting apart.

That the said Eugenia Chapman, Charles D. Chapman, Daniel E. Chapman and George E. Lucas are entitled to the residue of said estate as follows:

The said Eugenia Chapman to the undivided one half of all the property hereinafter described, excepting the said property in the Town of Santa Clara, County of Santa Clara, State of California in said Schedule A second described, and an additional one fourth of the said lands in said Schedule A first described.

The said Charles D. Chapman, to an undivided one fourth of all the property hereinafter described except said property in said Town of Santa Clara, in said Schedule A second described, subject to the Selection, designation and setting apart of those

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certain parcels of land in said Schedule A third and fourth described by the order of this Court in favor of said Eugenia Chapman, while she remains the widow of said deceased.

The said Daniel E. Chapman to an undivided one fourth of all the property hereinafter described, except the said property in said Town of Santa Clara, in said Schedule A second described, and excepting the said property in said Schedule A first described; subject to the selection, designation and setting apart of those certain parcels of land in said schedule A third and fourth described by order of this Court, in favor of said Eugenia Chapman, while she remains the widow of said deceased.

And the said George E. Lucas to the said property in said Town of Santa Clara in said Schedule A second described.

Prays that the Administration of said estate may be brought to a close, and that said Executors be discharged from their trust, that after due notice given and proceedings had, the estate in the hands of petitioners as aforesaid, may be distributed to the parties entitled thereto as hereinabove set forth.

(Sgd) Charles D. Chapman
Clemente Colombet
Executors of the Last
Will of Charles E. Chapman, deceased.

Schedule "A" to foregoing Petition contains

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

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a description of the residue of said estate, to wit:

Real Estate:-

3. Lot of land with improvements in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Easterly line of Myrtle Street with the Northerly line of Polhemus Street; and running thence North Westerly along the said Easterly line of said Myrtle Street 200 feet; thence at right angles NorthEasterly 200 feet; thence at right angles South Easterly 200 feet to the said Northerly line of Polhemus Street; thence South Westerly along said Northerly line of said Polhemus Street to the place of beginning, and being a piece of land 200 feet square and the Southerly corner of the land conveyed to Elvina M. Chapman by Deed from William Pascoe, dated February 26, 1874 and recorded February 26,1874 in Book 32 of Deeds, page 1 Records of Santa Clara County.

4. Lot of land in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Southerly line of Asbury Street with the Easterly line of Myrtle Street; and running thence Southerly along said Easterly line of Myrtle Street 200 feet; thence at right angles NorthEasterly 200 feet;thence at right angles North Westerly 200 feet to the said Southerly line of Asbury Street; thence South

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Westerly along the said Southerly line of Asbury Street 200 feet to the point of beginning. Being part of Block 16 of the University Grounds.

5. Lot of land in the County of Santa Clara, State of California, described as follows:-

Commencing at the intersection of the Southerly line of Asbury Street with the Westerly line of Elm Street; running thence Southerly along the said Westerly line of Elm Street 200 feet;thence at right angles South Westerly 200 feet; thence at right angles NorthWesterly 200 feet to the said Southerly line of Asbury Street; thence North Easterly along said Southerly line of Asbury Street 200 feet to the point of beginning, being part of Block 16 of the University Grounds.

6. Lot of land in the County of Santa Clara State of California, described as follows:-

Commencing at the intersection of the Northerly line of Polhemus Street with the Westerly line of Elm Street; and running thence Westerly along said Northerly line of said Polhemus Street 200 feet; thence at right angles North Westerly 200 feet; thence at right angles NorthEasterly 200 feet to the said Westerly line of said Elm Street; thence South Easterly along said Westerly line of said ElmStreet to the point of beginning, and being part of Block 16 of the UniversityGrounds.

(and other property, bothreal and personal)

1900

Oct. 22 Order made, filed and entered, Friday November 2d, 1900 at 10 A. M. fixed for hearing on settlement of final account and petition for distribution.

Prob. Rec. 63, page 316.

Oct. 22 Clerk's Order appointing November 2d,1900 at 10 A.M. for hearing onsettlement of final account and petition for distribution, filed.

Oct. 23 Affidavit of J. P. Sex of posting on October 22d, 1900 true copies of (clerk's Notice, Friday November 2d, 1900 at 10 A.M. appointed as the time and place for hearing on settlement of final account and petition for distribution of estate) in three of the most public places in Santa Clara County, filed.

Duly Verified.

Nov. 2 Order settling Final Account and distributing estate to the parties entitled thereto, made and entered.

P. R. 65,page 307.

Nov. 5 Decree of Settlement of final account and distribution of estate filed and entered.

P.R.69,page 93.

Recites final account and petition for distribution filed herein October 22d,1900, proof of Notice given by the Clerk of the settlement of

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said account and hearing said petition, as ordered by the Court, and proofs made on such hearing.

Ordered, adjudged and decreed, that the said final account of the said Executors be, and the same is hereby finally settled, allowed and approved, and that the residue of said estate hereinafter in Schedule A particularly described, be and the same is hereby distributed as follows:

To Eugenia Chapman, an undivided one half of the personal property hereinafter in Schedule A described And an undivided three-fourths interest in and to the lands and premises hereinafter in Schedule A first described. And an undivided one half of the lands and premises hereinafter in Schedule A third-fourth-fifth-sixth and seventh described.

To Daniel E. Chapman, the undivided one fourth of the personal property hereinafter in Schedule A described. And an undivided one fourth of the lands and premises hereinafter in Schedule A third, fourth, fifth, sixth and seventh described, said lands and premises third and fourth described being subject to the selection, designation and setting apart by the order of this Court, in favor of said Eugenia Chapman, while she remains the widow of said deceased.

To Charles D. Chapman, the undivided one fourth of the personal property hereinafter in Schedule A described, And an undivided one-fourth of the lands and premises hereinafter in Schedule A first, third, fourth, fifth, sixth and seventh described, said lands and premises third and fourth described

1900

being subject to their selection, designation and setting apart, by order of this Court in favor of said Eugenia Chapman while she remains the widow of said deceased.

To George E. Lucas, the lands and premises hereinafter in schedule A second described.

And any other property not now known or discovered which may belong to the said estate, or in which the said estate may have any interest, be and the same is hereby distributed as follows:

To said Eugenia Chapman, the undivided one half thereof.

To said Daniel E. Chapman, the undivided one fourth thereof.

To said Charles D. Chapman, the undivided one fourth thereof.

Schedule A.

Cash $10218.50.

(Sundry shares of Stock and personal property)

Real Estate.

3.

Lot of land with improvements in the County of Santa Clara, State of California, described as commencing at the intersection of the easterly line of Myrtle Street with the northerly line of Polhemus Street, and running thence northwesterly along the said easterly line of said Myrtle Street 200 feet; thence at right angles northeasterly 200 feet; thence at right angles southeasterly 200 feet to the said northerly line of Polhemus Street thence southwesterly along said northerly line of

1900

said Polhemus Street to the place of beginning, and being a piece of land 200 feet square and the Southerly corner of the land conveyed to Elvina M. Chapman by deed from William pascoe, dated February 26,1874 and recorded February 26,1874 in Book 32 of Deeds, page 1 Records of said Santa Clara County.

4.

Lot of land in the County of Santa Clara, State of California, described as commencing at the intersection of the southerly line of Asbury Street with the Easterly line of Myrtle Street; and running thence Southerly along said easterly line of Myrtle Street 200 feet; thence at right angles northeasterly 200 feet; thence at right angles northwesterly 200 feet to the said southerly line of Asbury Street; thence southwesterly along said Southerly line of Asbury Street 200 feet to the point of beginning, being part of Block 16 of University Grounds

5. Lot of land in the County of Santa Clara, State of California, described as commencing at the intersection of the southerly line of Asbury Street with the westerly line of Elm Street; running thence Southerly along the said westerly line of Elm Street 200 feet; thence at right angles southwesterly 200 feet; thence at right angles northwesterly 200 feet to the said southerly line of Asbury Street; thence northeasterly along said southerly line of Asbury Street 200 feet, to the point of beginning, being part of Block 16 of the University Grounds.

1900

6.

Lot of land in the County of Santa Clara, State of California, described as commencing at the intersection of the northerly line of Polhemus Street with the westerly line of Elm Street; and running thence westerly along said northerly line of said Polhemus Street 200 feet; thence at right angles north-westerly 200 feet; thence at right angles northeasterly 200feet to the said westerly line of said Elm Street; thence south-easterly along said westerly line of said ElmStreet to the point of beginning, and being part of Block 16 of the UniversityGrounds.

(and other property)

(Sgd) M. H. Hyland

Superior Judge.

Dated November 2nd, A. D. 1900.

Note:

A certified copy of foregoing Decree was recorded in the Office of the County Recorder of the County of Santa Clara, State of California, on November 5,1900, in Liber 235 of Deeds,page 375.

1901

Jan. 18 Receipt of Distributees filed.

Jan. 18 Decree of final discharge of Executors, made entered and filed.

Prob.Rec.58,page 422.

Daniel E. Chapman

party of the first part

S. Saunders and

C. C. Coolidge, Trustees

parties of the second part

— and —

Bridget Saunders

party of the third part

D E E D O F T R U S T

Dated (Stamp $.50 cancelled) January 24, 1900

To secure to third party the payment of $2000.

Conveys unto second parties, their successors and assigns the real property situate in the County of Santa Clara, described as follows, to wit:

Block 16 of the University Grounds.

(and other property)

Upon trust to reconvey all the estate in the premises to first party in case payment be made of all sums due third party.

Acknd. January 24, 1900

Before C. M. Lorigan, N. P.

Recorded January 24, 1900

Liber R of Trust Deeds, page 413.

S. Saunders and

C. C. Coolidge, Trustees

— To —

Daniel E. Chapman

R E-C O N V E Y A N C E

Dated (Stamp $10 cancelled) June 20, 1900

Recites: The indebtedness secured to be paid by the Deed of Trust executed by Daniel E. Chapman to S. Saunders and C. C. Coolidge, as Trustee dated January 24, 1900 and recorded in the County Recorder's Office of the County of Santa Clara, State of California in Liber R of Trust Deeds, at page 413 and following has been fully paid.

Now etc.,

Do grant, remise, release and reconvey unto said Daniel E. Chapman, his heirs and assigns without any warranty, all the estate and interest derived to us, the said S. Saunders and C. C. Coolidge by or through said Deed of Trust in the lands situate in the said County of Santa Clara and therein described, together with the appurtenances.

Special reference being hereby made to said Deed of Trust and the record thereof, for a particular description of said lands.

Acknd June 21, 1900

Before C. M. Lorigan, N. P.

Recorded June 21, 1900

Liber 231 of Deeds, page 217.

TAXES

STATE AND COUNTY

Fiscal Years

1867-1868)
)
To : PAID
)
1901-1902)

1902-1903 On undivided 1/2 of E. 1/2 of Block 16 assessedto

D.E.Chapman 1st Installment Paid

2nd Installment Delinquent

Balance Paid

1903-1904 Now a Lien

NO JUDGMENT LIENS

The foregoing ABSTRACT consisting of pages 1 to 62 inclusive, made at SAN JOSE, CALIFORNIA, MAY ELEVENTH, 1903 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY

By J. C. Edwards

Manager

Continuation
of
The Foregoing Abstract.

AS TO

THE SAME PROPERTY

Daniel E. Chapman

of first part

Will S. Clayton,

of second part

D. T. Hughes,

of third part.

D E E D O F T R U S T.

Dated May 14, 1903

To secure to third party the payment of $800 one year after date with interest and any additional sums loaned by third party to first party.

Grant, bargain, sell, convey and confirm unto second party, his successors or assigns, the following described real property in the County of Santa Clara, to wit:-

Block 16 on the Map of the University Grounds, as surveyed by J. J. Bowen, County Surveyor, April 1866, and duly filed in the County Recorder's Office, Commencing at the Southerly corner of Myrtle and Polhemus Street; thence North Easterly 400 feet to Elm Street; thence at right angles North westerly 400 feet to Asbury Street; thence at right angles South westerly 400 feet to Myrtle Street; thence at right angles South Easterly 400 feet to Polhemus Street, the place of beginning.

Upon trust to be reconveyed to said first party on payment of all sums due third party with interest, but in default thereof to be sold after advertisement according to law &c.

Acknd. May 14, 1903

Before Wesley Pieper, N.P.

Recorded May 14, 1903

Book 5 Trust Deeds, Page 200.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

(over)

Assigned by D.T. Hughes to H. A. Leigh, trustee by assignment executed September 16, 1903, and recorded October 20,1903 in Book N Assignments Mortgages, Page 52.

Assigned by H A Leigh Trustee to Eugenia Chapman by assignment executed September 20 1904 and recorded September 23.1904 in Book N Assignments of Mortgages Page 228

In the Superior Court of the County of Santa Clara,
State of California.

George F. Plyler, Plaintiff

vs

D. E. Chapman, Defendant.

A T T A C H M E N T.

Issued October 15, 1903

To make the sum of $367.50 or thereabouts besides interest and costs.

Return of sheriff annexed shows levy upon all the right, title and interest of Daniel E. Chapman in the following described property in the County of Santa Clara.

(Same as in Liber 56 of deeds, page 436 Gash to Chapman)

(Block 16 University Grounds)

standing on the Records of Santa Clara County, as follows: an undivided 1/2 thereof in the name of Eugenia Chapman; an undivided 1/4 thereof in the name of Charles D. Chapman; an undivided 1/4 thereof in the name of Will S. Clayton.

(and other property)

Recorded October 15, 1903

Book 7 Attachments, Page 239.

Case No. 15064, Reg. R. Page 410.

1903

Oct. 15 Complaint filed.

Summons issued.

1903	
Oct. 15	Affidavit for and undertaking on attachment filed.
Oct. 15	Writ of Attachment issued.
Nov. 28	Attachment returned showing levy upon above property on October 16, 1903.

In the Superior Court of the County of Santa Clara,
State of California.

William Osterman, Plaintiff

vs

D. E. Chapman, Defendant.

ATTACHMENT.

Issued October 20, 1903

To make the sum of $527 and attorney's fees, or thereabouts besides interest and costs. Return of sheriff annexed shows levy upon all the right, title and interest of Daniel E. Chapman in the following described property in the County of Santa Clara (same as in Liber 7 Attachments, Page 239 Plyler vs Chapman)

Recorded October 20, 1903

Book 7 Attachments, Page 247

Case No. 15070 Reg. Page

1903	
Oct. 20	Complaint filed.
Oct. 20	Summons issued.
Oct. 20	Affidavit for and undertaking on attachment filed.
Oct. 20	Attachment issued.

In the Justice's Court of San Jose Township,

County of Santa Clara, State of California,

John T. Wallace, Justice of the Peace.

Anderson & Barngrover Mfg. Com.

(corporation) Plaintiff

vs

O. E. Chapman, Defendant

ATTACHMENT.

Issued November 20, 1903

To make the sum of $149.27 and costs.

Return of constable annexed shows levy upon premises in the County of Santa Clara, as follows:-

(Same as in Liber 7 Attachments, page 239 Plyler vs Chapman)

Recorded November 20,1903

Book 7 Attachments, Page 269.

N O T E:-

On September 5, 1903, an action for divorce was begun by Wilhelmina M. Chapman against Daniel E. Chapman and after proceedings had therein, on October 14, 1903, an interlocutory decree of divorce was granted, to become absolute at the expiration of one year.

No property interests are mentioned.

CASE NO. 15011.

TAXES

STATE AND COUNTY.

Fiscal Years

1902-1903 Paid

1903-1904 On Undivided 1/4 of East 1/2 of Block 16 University Survey. Delinquent; Sold to state of California Cert. No. 193.

Redeemed Nov 17, 1904 Hoover

Balance Paid.

1904-1905 Now a Lien.

Entered by San Jose Abstract Co. SEARCHER. By

NO JUDGMENT LIENS.

The foregoing CONTINUATION consisting of pages 63 to 70 inclusive, made at SAN JOSE, CALIFORNIA, SEPTEMBER THIRD, 1904 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By J. C. Edwards

Manager.

Continuation
of
The Foregoing Abstract.

AS TO

THE SAME PROPERTY.

IN THE JUSTICE'S COURT OF SAN JOSE TOWNSHIP, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

Anderson Barngrover Mfg.Co.corporation, Plff.

VS.

D.E.Chapman, Deft.

ABSTRACT OF JUDGMENT.

Dated

Shows judgment entered in above entitled court and cause in favor of plaintiff on September 24,1904, for $180.90.

Certified to by John T.Wallace, J.P.

Recorded October 17,1904.

Book B Judgments, Page 626.

Will S.Clayton,
as sole Trustee of the trust
hereinafter mentioned.

TO

Eugenia Chapman

DEED.

Dated March 13,1905.

Cons: $1040.70.

Recites: Whereas, on the 14th.day of May A.D.1903, Daniel E.Chapman, executed his promissory note to D.T.Hughes which said note is in the words and figures following, viz:

$800.00 San Jose, Cal. May 14,1903.

One year after date, for value received I promise to pay to D.T.Hughes or order at the office of James A. Clayton in the City of San Jose, the sum of $800 with interest thereon from date until payment at the rate of 8% per annum, payable quarterly and if not so paid then to be added to and become a part of the principal and bear a like rate of interest, said principal and interest to be paid in United States gold coin. If any interest on this note be not paid within one month after it becomes due then the whole of the principal and interest shall at the option of the payee become and be immediately due and payable.

D.E.Chapman,

This note secure by trust deed.

And whereas, on the same day said Daniel E.Chapman, executed and acknowledged a deed of trust to said Will S. Clayton of the lands hereinafter described wherein it was provided that in case of default in the payment of said note said Will S.Clayton should sell said lands at public auction to the highest bidder for cash and out of the proceeds of

said sale should pay the expenses of said trust and the principal and interest of said note which said deed of trust is recorded in Book 5 of Trust Deeds, page 200 et seq.Records of Santa Clara County and which said deed of trust is hereby referred to and made a part hereof. And whereas the said D.T.Hughes did for a valuable consideration on the 16th. day of September A.D.1903, grant, sell, assign, transfer and set over said note and said deed of trust to said H.A. Leigh, trustee which said grant and assignment was executed and acknowledged so as to entitle the same to recordation and the same was on October 20,1903 duly recorded in Liber N of Assignments of Mortgages, at page 52 et seq.Records of said Santa Clara County and is hereby referred to and made a part hereof; and whereas the said H.A.Leigh, trustee, did for a valuable consideration on September 20,1904, grant, sell, assign, transfer and set over said note and said deed of trust to the said Eugenia Chapman, which said grant and assignment was executed and acknowledged, so as to entitle the same to recordation and the same was on September 23,1904, recorded in Liber N Assignments of Mortgages, page 228 et seq.Records of Santa Clara County and is hereby referred to and made a part hereof and whereas nothing was ever paid on the principal or interest on said note and there is now past due, owing and unpaid on said note as principal and interest the sum of over $921.90 no part of which has been paid and whereas on the 23d.day of January A.D.1905, the said Eugenia Chapman the assignee owner and holder of said note made demand on said first party herein, that he proceed to sell said lands and in pursuance of said deed of trust apply the proceeds of said sale as in said deed of trust provided; and whereas the said first party did cause to be published a notice of sale

of said lands daily _____ in the "San Jose Evening News", a newspaper published in the English language in the City of San Jose, County of Santa Clara, State of California, from the 7th.day of February A.D.1905 to the 2d.day of March A.D.1905 inclusive that is to say: every day first and last days included Sundays and February 22,1905 excepted, that being as often during said period as said newspaper was regularly issued, said notice being in the words and figures following, viz:-

"Trustees sale.

Notice is Hereby Given, that default has been made in the payment of the promissory note referred and secured by that certain deed of trust executed by Daniel E.Chapman to Will S. Clayton said deed of trust being dated May 14, 1903 and recorded May 14,1903 in the Recorder's Office in the County of Santa Clara, State of California, in Liber 5 of Trust Deeds, page 200 et seq.Records of Santa Clara County, California, and that Eugenia Chapman the assignee, owner and holder of said note has requested and authorized the undersigned to proceed under said deed of trust to sell the lands in said deed of trust described, that nothing has been paid upon the pricinpal or interest of said note and it is necessary in order to carry out the provisions of said deed of trust for the undersigned to sell the whole of said lands in said deed of trust described. Now Therefore notice is hereby given that the undersigned Will S.Clayton, sole trustee, mentioned in said deed of trust at the hour of 12 o'clock noon on Friday the 3d.day of March A.D.1905, in the City of San Jose, County of Santa Clara, State of California, at the front door of the Court House of said County of Santa Clara, sell at public auction to the highest bidder for cash the lands conveyed by said deed of trust

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

which are particularly described as follows, viz:-
Block number 16 on the map of the University Grounds as surveyed by J.J.Bowen, County Surveyor, April 1866 and duly filed in the County Recorder's Office; Commencing at the Southerly corner of Myrtle and Polhemus Streets; thence North Easterly 400 feet to Elm Street; thence at right angles North Westerly 400 feet to Asbury Street; thence at right angles South Westerly 400 feet to Myrtle Street; thence at right angles South Easterly 400 feet to Polhemus Street the place of beginning, all situate in the County of Santa Clara, State of California.
Said Eugenia Chapman being the assignee, owner and holder of said note and indebtedness secured by said deed of trust or any other person may purchase at such sale, acts of sale at purchasers expense.
Dated: February 7th. A.D.1905.

Will S.Clayton,

As trustee under said deed of trust,

C.M.Lorigan, Attorney for said Trustee".

And whereas, on the 3d.day of March A.D.1905, at the hour of 12 o'clock noon of that day at the front door of the Court House of the County of Santa Clara, State of California in said City, the said first party as such sole trustee and in pursuance of said deed of trust and notice of sale did offer at public auction to the highest bidder for cash the lands hereinafter described and did thereupon sell said lands as a whole it being necessary to sell such lands as a whole to accomplish the objects of such trust to said party of the second part herein for the sum of $1040.70 in cash United States gold coin she being the highest and best bidder and said sum being the highest bid offered or made at said sale. That said sale was legally

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made and fairly conducted and was made at public auction to the highest bidder and for the highest price obtainable and was in all respects conformable to law and to the provisions of said deed of trust. That said party of the second part has in pursuance of said sale paid to the said party of the first part the said sum of $1040.70 upon said note, principal, interest, costs and attorneys fees. Now therefore by virtue of the premises aforesaid, the said first party hereby grants, bargains and sells conveys and confirms unto the said party of the second part, her heirs and assigns forever, the said lands so sold as aforesaid and described as follows, viz:

Block Number Sixteen on the Map of University Grounds as surveyed by J.J.Bowen, County Surveyor, April 1866 and duly filed in the County Recorder's Office: Commencing at the Southerly corner of Myrtle and Polhemus Streets; thence North Easterly 400 feet to Elm Street; thence at right angles North Westerly 400 feet to Asbury Street; thence at right angles South Westerly 400 feet to Myrtle Street; thence at right angles South Easterly 400 feet to Polhemus Street the place of beginning, all situate in the County of Santa Clara, State of California; also all the right, title and interest, in and to said lands which were owned or held by said Daniel E.Chapman before he made said deed of trust and all the right, title and interest, in and to said lands which were conveyed to said Will S.Clayton by said Daniel E.Chapman by said deed of trust.

Acknd. March 13,1905.

Before C.M.Lorigan, N.P.

Recorded March 13,1905.

Book 290 Deeds, Page 186.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

T A X E S.

S T A T E A N D C O U N T Y.

Fiscal Years.

1904-1905 Paid.

1905-1906 Now a Lien.

N O J U D G M E N T L I E N S.

The foregoing CONTINUATION consisting of pages 71 to 78 inclusive, made at SAN JOSE, CALIFORNIA, AUGUST TWENTY-FIRST, 1905 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By J. C. Edwards

Manager.

Continuation of the Foregoing Abstract
as to
The Same Property

Eugenia E. Chapman (widow)
and Charles D. Chapman

— TO —

Lizzie M. Donovan (widow)

DEED

Dated August 21, 1905

Cons$10.00

Do grant, bargain and sell, convey and confirm unto the second party and to her heirs and assigns forever, all that parcel of land situate in the University Grounds, County of Santa Clara, State of California, described as follows:-

Block No. 16 of the University Grounds, according to a Map of said University Grounds, as surveyed by J. J. Bowen, County Surveyor, April 1866, and duly filed in the County Recorder's Office, Said block being described as commencing at the point of intersection of the North Westerly line of Polhemus Street with the North Easterly line of Myrtle Street, and running thence North Easterly along the North Westerly line of Polhemus Street 400 feet to Elm Street; thence North Westerly along the South Westerly line of Elm Street 400 feet to the South Easterly line of Asbury Street, thence South Westerly along the South Easterly line of Asbury Street 400 feet to Myrtle Street; thence South Easterly along the North Easterly line of Myrtle Street 400 feet to the place of beginning.

Acknd. September 18, 1905

By Charles D. Chapman,

Before Walter C. Bishop, Vice Counsel of the United States of America, residing at the City of Durango, State of Durango, Republic of Mexico.

Acknd. September 25, 1905

(over)

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

By Mrs Eugenia E. Chapman (widow)

Before W. S. Clayton,N.P.

Recorded September 25, 1905

Liber 298 of Deeds, page 96

Lizzie M. Donovan (widow)

of the first part

W. S. Clayton

of the second part

and

Albert Benedict

of the third part

DEED OF TRUST

Dated September 25, 1905

To secure to third party the payment of a promissory note of even date herewith, for the sum of Three Thousand (3000.00) Dollars in three years, with interest at the rate and times therein specified; also the payment of such additional sums &c.

Conveys unto the second party, his successors or assigns the real property situate in the University Grounds, County of Santa Clara, State of California, described as follows:-

(Same as in Liber 298 of Deeds, page 96 Chapman et al to Donovan)

Upon trust to reconvey all the estate in the premises to Lizzie M. Donovan in case payment be made of all sums due third party, and if default be made in any such payment, second party is empowered to sell the above granted premises at public auction, after giving due public notice.

Acknd. September 25, 1905

Before Edw. W. Clayton, N.P.

Recorded September 25, 1905

Re-c

Book Q of Trust Deeds, Page 606

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

DEPT. NO. 2

Lizzie M. Donovan

— VS —

William Pascoe

LIS PENDENS

Dated October 4, 1905

To obtain a judgment that the said plaintiff is the owner of the lands hereinafter described, and that defendant is not the owner of and has no right, title or interest in or to any part of said lands, and that plaintiff's title be quieted as against said defendant.

The lands affected by this action are situate in the County of Santa Clara, State of California, and are described as follows:-

Block No. 16 on the Map of University Grounds, as surveyed by J. J. Bowen, County Surveyor, April 1866, and duly filed in the County Recorder's Office.

C. M. Lorigan, Attorney for Plaintiff

Recorded October 4, 1905

Liber 7 of Lis Pendens, page 459

REG. S. PAGE 166 CASE 16095

1905

Oct. 4	Complaint filed.
Oct. 4	Summons issued.
Oct. 13	Affidavit for Publication of Summons filed.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1905	
Oct. 13	Order of Publication of Summons filed.
1906	
Feb. 1	Request of Plaintiff's Attorney for Dismissal of Action filed.
Feb. 1	Register entry:-

The above entitled action is hereby dismissed pursuant to a request for a dismissal filed herein February 1, 1906.

Henry A. Pfister, Clerk

By R. C. McComish, Deputy Clerk.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA,

DEPT. NO. 2

Lizzie M. Donovan

- VS -

William Pascor

REG. S. PAGE 228 CASE 16,257

1906

Feb. 3 Complaint to Quiet Title filed.

Plaintiff avers: That she is the owner and in possession of all that certain tract of land situate in the County of Santa Clara, State of California, described as follows:

Block No. 16 on the Map of University Grounds, as surveyed by J. J. Bowen, County Surveyor, April 1866, and duly filed in the County Recorder's office; commencing at the Southerly corner of Myrtle and Polhemus Streets; thence North Easterly 400 feet to Elm Street; thence at right angles North Westerly 400 feet to Asbury Street; thence at right angles South Westerly 400 feet to Myrtle Street; thence at right angles South Easterly 400 feet to Polhemus Street, the place of beginning.

That the said defendant claims to own some right, title or interest in said land, but said plaintiff alleges that said claim is unfounded, unlawful and of no effect, and that said defendant does not own any right, title or interest in or to said land.

Prays that it be adjudged that she is the owner of said land, and that the said defendant does not own any right, title or interest in or to said land

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1906

or any part thereof; and that the title of said plaintiff be quieted as against said defendant, and for all costs of suit.

(Duly verified) C. M. Lorigan,

Attorney for plaintiff.

Note:-

A Notice of the Pendency of foregoing Action was filed for record in the office of the County Recorder of the County of Santa Clara, State of California, on February 3, 1906, and recorded therein in Liber 7 of Lis Pendens, at page 519.

Feb. 3 Summons issued.

Feb. 13 Affidavit of Lizzie M. Donovan for Publication of Summons, filed.

(as follows)

State of California)
) ss
City and County of San Francisco)

Lizzie M. Donovan, being first duly sworn deposes and says: That she is the plaintiff in the above entitled action; that the complaint in said action, duly verified was filed with the Clerk of this Court on the 3rd day of February A. D. 1906, and summons thereon was thereupon and on said day duly and regularly issued; that said action is brought for the purpose of quieting title to certain real property in said complaint particularly described, and made a part hereof, and to determine all adverse claims thereto.

The cause of action herein is fully set forth in the verified complaint on file herein, and

1906

affiant avers that the said plaintiff has a good and meritorious cause of action against said defendant, William Pascor; that said defendant, William Pascor, is a necessary and proper party to this action as appears from said verified complaint.

That said defendant, William Pascor, does not reside within this State, but the residence of said defendant is outside of this State, and is unknown to affiant.

That there has not been filed on behalf of such person, in the said County of Santa Clara, where such action is pending, the certificate of residence provided for by Section 1163 of the Civil Code of the State of California, in which County said action is brought, nor has the same been recorded in the office of the County Recorder of said County.

That affiant therefore says that personal service of said summons cannot be made on said defendant, William Pascor, and therefore prays for an order of this Court that service of the same may be made by publication thereof, and that said service be directed by this Court.

Lizzie M. Donovan.

Subscribed and sworn to February 7, 1906 before George D. Perry, Court Commissioners of the City and County of San Francisco, State of California.

Feb. 13 Order, that service of the summons and complaint in this action be made upon said defendant William Pascor, by publication in the Santa Clara News, a newspaper printed and published in the said County of Santa Clara, State of California, which

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1906

newspaper is hereby designated as the newspaper most likely to give notice to the said defendant William Pascor, and that said publication be made at least once a week for two months, filed.

Sept. 14 Summons returned with certificate of Sheriff that after due search and diligent inquiry he has been unable to find the defendant William Pascor in Santa Clara County, and filed.

Sept. 14 Affidavit of Frank E. Elkins, printer and publisher of The Santa Clara News, a weekly newspaper &c. of publication of summons in said newspaper for ten successive weeks, from the 13th day of February 1906, to the 17th day of April 1906, both dates inclusive; that is to say, once each week and on the following dates to wit: February 13, 20, 27 March 6, 13, 20, 27, April 3, 10 and 17, 1906, that being as often during said period as said newspaper was regularly issued, filed.

Sept. 14 Default of defendant William Pascor entered.

Sept. 17 Cause tried and decree granted plaintiff as prayed for.

Oct. 3 Findings filed.

Oct. 3 Decree Quieting Title, filed.

ORDERED, ADJUDGED AND DECREED, that said plaintiff is, and at the time of the commencement of this action was, the owner in fee of the premises

1906

in the complaint herein and hereinafter described, and that said defendant did not have at the commencement of this action, nor at any time since has had any right, title or interest, in or to any part of said land; and that plaintiff's title is hereby quieted as against all claims or demand of said defendant, William Pascor. Said land is described as follows:

All that tract of land in the County of Santa Clara State of California, described as follows:-

Block No. 16 on the Map of University Ground, as surveyed by J. J. Bowen, County Surveyor, April 1866, and duly filed in the County Recorder's Office of said County: Commencing at the South Easterly corner of Myrtle and Polhemus Streets; thence North Easterly 400 feet to Elm Street, thence at right angles North Westerly 400 feet to Asbury Street; thence at right angles South Westerly 400 feet to Myrtle Street; thence at right angles South Westerly 400 feet to Polhemus Street, the place of beginning.

Done in open Court September 17, 1906.

(Sgd) M. H. Hyland, Judge

Nov. 15 Decree recorded in Judgment Book 4, page 163.

Nov. 15 Roll filed. Decree Docketed.

Note: A certified copy of foregoing Decree was filed for record in the office of the County Recorder of the County of Santa Clara, State of California, on October 3, 1906, and recorded therein in Liber 18 of Miscellaneous Records, page 446.

T A X E S

S T A T E A N D C O U N T Y

Block 16, University Grounds

Fiscal Years

1905-1906)
to) Paid
1908-1909)

1909-1910 On Land 1st Installment Paid,
2nd Installment due and payable
On Mortgage Int. Both installments paid.

COLLECE PARK SANITARY DISTRICT TAX

Fiscal Years

1905-1906)
to) Paid
1908-1909)

1909-1910 On Land 1st Installment Paid
2nd Installment due and payable
On Mortgage Int. Both installments paid.

N O J U D G M E N T L I E N S

The foregoing CONTINUATION consisting of pages 79 to 89 inclusive made at SAN JOSE, CALIFORNIA, FEBRUARY TWENTY-FOURTH 1910 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY

By J. C. Edwards

Manager

Continuation of the Foregoing Abstract

as to

The Same Property

As shown by the official records of the

County of Santa Clara, State of California.

W.S.Clayton, as Trustee

TO

Lizzie M.Donovan

DEED OF RECONVEYANCE.

Dated February 24,1910.

Recites, that the indebtedness secured to be paid by the Deed of Trust, executed by L.M.Donovan(widow) the party of the first part, to me, W.S.Clayton, as Trustee,the party of the second part, and Albert Benedict, party of the thirdpart, and recorded in the County Recorder's office of the County of Santa Clara,State of California, in Book Q of Trust Deeds, at pages 606 et seq, dated September 25th. 1905, for the sum of $3000.00 due in three years has been fully paid.

Do hereby grant, remise, release and reconvey to Lizzie M.Donovan, her heirs and assigns, without any warranty,all the estate and interest derived to me by or through said Deed of Trust, in the lands situate in the University Grounds County of Santa Clara,State of California, and therein described. Special reference being hereby made to said Deed of Trust, and the record thereof, for a particular description of said lands.

Acknd. February 24,1910.

Before Viola W.Turney, N.P.

Recorded February 25,1910.

Book 354 of Deeds,Page 231.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Lizzie M.Donovan (widow)

first party

F.O.Reed,

second party,

W.S.Clayton and

J.J.Morey, Executors,

of the Estate of Albert Benedic_

third party

DEED OF TRUST.

Dated February 25,1910.

To secure the payment of $3000.00 and interest unto third party, according to the terms of a promissory note of even date herewith, principal payable three years after date with interest thereon as therein specified, and to secure all further advances.

Doth grant, bargain, sell, convey and confirm unto the said party of the second part, his successors or assigns, the following described real property, situate in the University Grounds, County of Santa Clara,State of California, to wit:

(Same as in Liber 298 of Deeds,Page 96. Eugenia E. Chapman et al to Lizzie M.Donovan, widow)

Upon trust, to be reconveyed unto said Lizzie M. Donovan, her heirs and assigns, upon repayment of moneys borrowed from third party, with the interest thereon.

In default of such payment, then second party, shall sell the above grantedpremises at public auction after due notice given by publication.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Acknd. February 25,1910.

Before Viola W.Turney, N.P.

Recorded February 25,1910.

Book 30 of Trust Deeds,Page 541.

Recon

T A X E S.

S T A T E A N D C O U N T Y.

Block 16 University Grounds.

Fiscal Years.

1909-1910	PAID.
TO	
1911-1912	
1912-1913	Now a Lien, not due or payable.

COLLEGE PARK SANITARY DISTRICT TAX.

Fiscal Years.

1909-1910	PAID.
TO	
1911-1912	

N O J U D G M E N T L I E N S.

The foregoing CONTINUATION consisting of pages 90 to 94 inclusive, made at SAN JOSE, CALIFORNIA, JUNE NINETEENTH 1912 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By J. P. Edwards

Manager.

Continuation of the Foregoing Abstract

as to

The Same Property

As shown by the official records of the

County of Santa Clara, State of California.

F.O.Reed, as Trustee

TO

Lizzie M. Donovan

DEED OF RECONVEYANCE

Dated June 26, 1912.

Recites: That the indebtedness secured to be paid by the deed of trust executed by Lizzie M. Donovan, of the first part, to F.O.Reed, as Trustee, of the second part and W.S. Clayton and J.J.Morey, executors of the estate of Albert Benedict, of the third part, dated February 25, 1910 and recorded in the County Recorder's office of the County of Santa Clara, State of California, in Liber 30 of Trust Deeds, at page 541 and following, has been fully paid.

Now etc.,

Does grant, remise, release and reconvey unto Lizzie M. Donovan, her heirs and assigns, without any warranty, all the estate and interest derived to him, by or through said Deed of Trust, in the lands situate in the University Grounds, County of Santa Clara, State of California, and therein described, together with the appurtenances. Special reference being hereby made to said Deed of Trust and the record thereof for a particular description of said lands.

Acknd. June 26, 1912.

Before W.Allen Hope,N.P.

Recorded June 27, 1912.

Book 384 of Deeds, page 543.

Lizzie M. Donovan,
(widow)
of the first part
James A. Clayton & Co.,
a corporation,
of the second part
AND
Katie Rogers,
of the third part

DEED OF TRUST

Dated June 27, 1912.

To secure to third party, the payment of a promissory note of even date herewith, for the sum of Thirty-six hundred (3600) Dollars, in three years, with interest at the rate and times therein specified; also the payment of additional loans etc.,

Conveys unto the second party, its successors or assigns, the real property situate in the University Grounds, County of Santa Clara, State of California, described as follows:

(Same as in Liber 298 of Deeds, page 96 Chapman et al to Donovan)

Upon trust to reconvey all the estate in the premises to Lizzie M. Donovan in case payment be made of all sums due third party, but if default be made in any such payment, second party is empowered to sell the above granted premises at public auction, after giving due public notice.

Acknd. June 27, 1912.

Before Frazier O.Reed,N.P.

Recorded June 27, 1912.

Book 51 of Trust Deeds, page 35.

T A X E S

STATE, COUNTY AND COLLEGE PARK SANITARY DISTRICT

Block 16 University Grounds.

Fiscal Years

1912-1913 TO 1914-1915 PAID

1915-1916 1st. Installment Paid.

2nd. Installment Due and payable.

N O J U D G M E N T L I E N S

The foregoing CONTINUATION consisting of pages 95 to 98 inclusive, made at SAN JOSE, CALIFORNIA, JANUARY THIRTY-FIRST 1916 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

BY J. E. Edwards

Manager.

Continuation of the Foregoing Abstract

as to

The Same Property

As shown by the official records of the

County of Santa Clara, State of California.

James A.Clayton & Co.,

a corporation,

as Trustee

By F.O.Reed, Vice President

W.S.Clayton, Secretary

(Corporate Seal affixed.)

TO

Lizzie M.Donovan

DEED OF RECONVEYANCE.

Dated January 28, 1916.

Recites: That the indebtedness secured to be paid by the Deed of Trust executed by Lizzie M.Donovan (widow) of first part to James A.Clayton & Co., a corporation, as Trustee, dated June 27, 1912 and recorded in the County Recorder's Office of the County of Santa Clara, State of California, in Liber 51 of Trust Deeds, at Page 35 and following, has been fully paid.

Now etc.

Do grant, remise, release and reconvey to Lizzie M.Donovan, her heirs and assigns, without any warranty, all the estate and interest derived to it by or through said Deed of Trust in the lands situate in the County of Santa Clara, State of California, and therein described, together with the appurtenances. Special reference being hereby made to said Deed of Trust and the record thereof for a particular description of said lands.

Acknd. February 5, 1916.

Before E.B.Donovan,N.P.

Recorded February 7, 1916.

Book 437 of Deeds, Page 448.

Lizzie M.Donovan, (widow.)

of first part

F.O.Reed and

W.S.Clayton, Trustees,

of second part

AND

Katie Rogers

of third part

DEED OF TRUST.

Dated December 27, 1915.

Stamp 75¢ Cancelled.

To secure to third party, the payment of a promissory note of even date herewith, for the sum of Thirty-six hundred ($3600.) Dollars, in three years, with interest at the rate and times therein specified; also the payment of additional sums.

Conveys unto the second parties, their successors or assigns, the real property situate in the University Grounds, County of Santa Clara,State of California, described as follows:

(Same as in Liber 298 of Deeds, page 96 Chapman to Donovan.)

Upon trust to reconvey all the estate in the premises to Trustor in case payment be made of all sums due third party, but if default be made in any such payment, second parties are empowered to sell the above granted premises at public auction, after giving due public notice.

Acknd. February 7, 1916.

Before E.B.Donovan,N.P.

Recorded February 7, 1916.

Book 81 of Trust Deeds, Page 257.

T A X E S

S T A T E A N D C O U N T Y.

Fiscal Years.

1915-1916)
 TO) PAID
1917-1918)

1918-1919 First Installment Paid.

Second Installment due and payable.

N O J U D G M E N T L I E N S.

The foregoing CONTINUATION consisting of pages 99 to 104 inclusive, made at SAN JOSE, CALIFORNIA, FEBRUARY TWENTIETH 1919 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY

By S. Edwards

Manager.

Continuation of the Foregoing Abstract

as to

The Same Property

As shown by the official records of the

County of Santa Clara, State of California.

Lizzie M.Donovan, widow,

as Trustor

James A.Clayton & Co.,

as Trustee

AND

Katie Rogers

as Beneficiary

DEED OF TRUST

Dated March 27,1919.

Rev.Stamps 72¢cancelled.

To secure to said Beneficiary the payment of a certain promissory note of even date therewith for the sum of Thirty-six Hundred ($3600) Dollars, in three years, with interest as therein specified, also the payment of additional sums, not exceeding, when added to the unpaid portion of the original principal the sum of $__.

Convey unto said Trustee and its successors, the real property situate in the County of SantaClara, State of California, described as follows:
(Same as in Liber 298 of Deeds, page 96, Chapman to Donovan.)

Upon trust to reconvey all the estate in the premises to Lizzie M.Donovan in case payment be made of all sums due said Beneficiary, but if default be made in any such payment said Trustee is empowered to sell the above granted premises at public auction after giving due public notice.

Recov.

Acknd. March 27,1919.

Before E.B.Donovan,N.P.

Recorded April 3,1919.

Book 109 of Trust Deeds, page 537.

F.O.Reed and

W.S.Clayton, Trustees

TO

Lizzie M.Donovan

DEED OF RECONVEYANCE

Dated April 4,1919.

Recites: That the indebtedness secured to be paid by the Deed of Trust executed by Lizzie M.Donovan (widow) the party of the first part to F.O.Reed and W.S.Clayton as Trustees the parties of the second part and Kate Rogers the party of the third part, and recorded in the County Recorder's Office of the County of Santa Clara, State of California, in Liber 81 of Trust Deeds, page 257 and following, dated December 27,1915 has been fully paid.

Now etc;

Do grant, remise, release and reconvey unto Lizzie M.Donovan, her heirs and assigns, without any warranty, all the estate and interest derived to them by or through said Deed of Trust inthe lands situate in the County of Santa Clara, State of California, and therein described, together with the appurtenances. Special reference being hereby made to said Deed of Trust and the record thereof for a particular description of said lands.

Acknd. April 7,1919.

Before E.B.Donovan, N.P.

Recorded April 7,1919.

Liber 486 of Deeds, page 88.

Lizzie M.Donovan, a widow

TO

Elizabeth Donovan, single

D E E D

Dated May 27,1919.

Cons:$1500.00

Rev.Stamps $1.50 cancelled.

Does grant, bargain, sell, convey and confirm unto the second party and to her heirs and assigns forever, all that certain parcel of land situate in the County of Santa Clara, State of California, and described as follows:

Block No.16 on the Map of University Grounds as surveyed by J.J.Bowen County Surveyor, April 1866 and duly filed in the County Recorder's Office of theCounty of Santa Clara, State of California.

Commencing at the Southerly corner of Myrtle and Polhemus Streets, thence Northeasterly 400 feet to Elm Street, thence at right angles Northwesterly 400 feet to Asbury Street, thence at right angles Southwesterly 400 feet to Myrtle Street, thence at right angles Southeasterly 400 feet to Polhemus Street the place of beginning, all situate in the County of Santa Clara, State of California.

Acknd. May 27,1919.

Before Wesley Pieper, N.P.

Recorded May 28,1919.

Liber 488 of Deeds, page 511.

TAXES

STATE COUNTY & COLLEGE PARK SANITARY DISTRICT

All of Block 16 University Grounds.

Fiscal Years	
1918-1919 TO 1920-1921	PAID
1921-1922	1st Installments Paid. 2nd Installments due and payable. State and County taxes amounting to $73.98.Receipt #26389. Sanitary Tax amounting to $10.80. Receipt #40326.
1922-1923	A Lien.

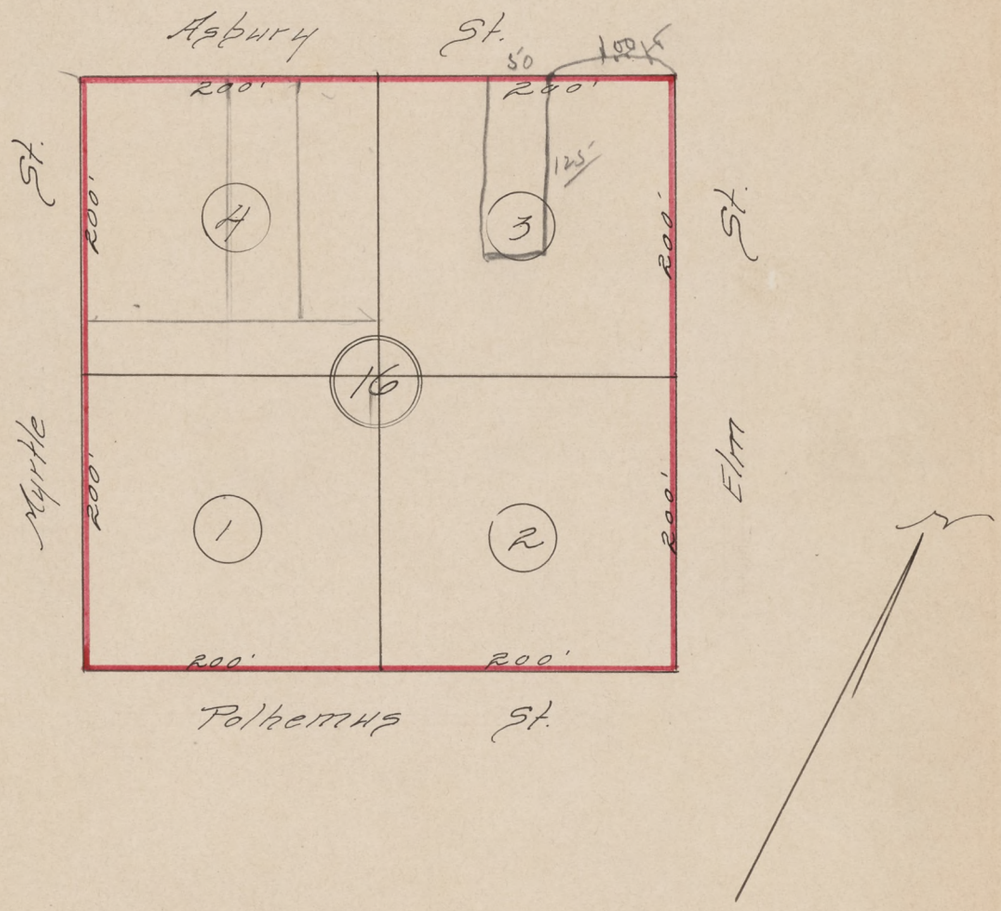
NO JUDGMENT LIENS

The foregoing CONTINUATION consisting of pages 105 to 109 inclusive, made at SAN JOSE CALIFORNIA, MARCH SIXTEENTH 1922 at Nine o'clock A.M.

SAN JOSE ABSTRACT & TITLE INSURANCE CO.

BY F. Edwards

Manager.



All Block 16
of the
University Grounds

San Jose Abstract & Title Insurance Co.
SAN JOSE, CAL.